IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 20696 of 2007()

PETITIONER:

O.BEERAN, S/O. KUNJALAN,
TELICOM MECHANIC, P.O.PADINJARANGADI,
VIA. KUMARANALLOOR, PALAKKAD DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI
SRIC.M.MOHAMMED IQUABAL

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, DEPARTMENT OF REVENUE,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
MALAPPURAM.

3. THE TAHSILDAR,
TALUK OFFICE, TIRUR.

4. THE ADDITIONAL TAHSILDAR,
TALUK OFFICE, TIRUR.

5. THE CHIEF ENGINEER (ROADS AND BRIDGES),
THIRUVANANTHAPURAM.

6. THE EXECUTIVE ENGINEER, PWD (ROADS),
MANJERI.

BY G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.20696 of 2007

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Dated this the 5th day of July, 2007

J U D G M E N T

The petitioner challenges Ext.P7 notice by which he has been directed to show-cause as to why he should not evicted from the properties in question. The petitioner apprehends eviction pursuant to Ext.P7 without passing final orders. I do not find any basis for such apprehension, especially since the third respondent can pass final orders only after complying with the procedure prescribed under the Kerala Land Conservancy Act and Rules. In Ext.P7 there is no proposal for invoking the emergency clause also. The third respondent can evict the petitioner only after considering the contentions of the petitioner. Therefore, it would be open to the petitioner to file his objections to the same and produce evidence in support of his case. In view of

the above, I do not find any reason to entertain the apprehension of the petitioner. Accordingly, the writ petition is dismissed.

sdk+ S.SIRI JAGAN, JUDGE